

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

12-mc-00115 (JSR)

ECF Case

Electronically Filed

In re:

MADOFF SECURITIES

**DECLARATION OF MARCO E. SCHNABL IN SUPPORT OF THE
EXTRATERRITORIAL DEFENDANTS' MOTION TO DISMISS**

Pursuant to 28 U.S.C. § 1746, Marco E. Schnabl declares:

1. I am a member of the bar of this Court and a member of the law firm Skadden, Arps, Slate, Meagher & Flom LLP.
2. I am counsel to Defendants UniCredit S.p.A., Pioneer Global Asset Management S.p.A, and Pioneer Alternative Investment Management Ltd., but submit this declaration in support of the motion made by all Extraterritorial Defendants¹ to dismiss with

¹ As defined in the Memorandum of Law in Support of the Extraterritorial Defendants' Motion to Dismiss, dated July 13, 2012, filed contemporaneously herewith.

prejudice the claims seeking recovery against such Extraterritorial Defendants on grounds that certain statutory provisions on which the plaintiff relies have no extraterritorial reach.

3. I hereby place before the Court true and correct copies of the following documents:

- | | |
|-----------|---|
| Exhibit A | Extraterritoriality Order, <i>SIPC v. Bernard L. Madoff Inv. Sec. LLC</i> (In re Madoff Sec.), No. 12-mc-0115, (S.D.N.Y. June 7, 2012), ECF No. 167. |
| Exhibit B | Consent Order, <i>SIPC v. Bernard L. Madoff Inv. Sec. LLC</i> (In re Madoff Sec.), No. 12-mc-0115, (S.D.N.Y. June 26, 2012), ECF No. 203. |
| Exhibit C | Judgment, Eastern Caribbean Court of Appeal, Territory of the Virgin Islands, <i>Quilvest Finance Ltd. et al. v. Fairfield Sentry Ltd. (In Liquidation)</i> , HCVAP 2011/Q41 <i>et al.</i> (entered June 13, 2011). |
| Exhibit D | Trustee's Memorandum of Law in Opposition to Primeo Fund's Motion to Withdraw the Reference, <i>Picard v. HSBC</i> , 11-civ-06524 (JSR) (S.D.N.Y. Dec. 7, 2011), ECF No. 18. |
| Exhibit E | Trustee's Memorandum of Law in Opposition to Defendant's Motion to Withdraw the Reference, <i>Picard v. Banco Bilbao Vizcaya Argentaria, S.A.</i> , 11-civ-07100 (JSR) (S.D.N.Y. Jan. 31, 2012), ECF No. 15. |
| Exhibit F | Trustee's Memorandum of Law in Opposition to Defendants' Motions to Withdraw the Reference, <i>Picard v. Oreades Sicav</i> , 11 Civ. 07763 (JSR) (S.D.N.Y. Feb. 21, 2012), ECF No. 17. |

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 13, 2012 in New York, New York.

/s/ Marco E. Schnabl

Marco E. Schnabl